

**UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA**

JOSEPH A. NINEHOUSER

Plaintiff,

v.

JEREMY READ, individually and in his  
official capacity as an officer for Lower  
Allen Township Police Department and  
LOWER ALLEN TOWNSHIP d/b/a  
Lower Allen Police Department

Defendants.

**CIVIL ACTION - LAW**

**NO. 1:23-CV-1639**

**JURY TRIAL BY 12 DEMANDED**


**CERTIFICATE PREREQUISITE TO SERVICE OF SUBPOENAS TO PRODUCE  
DOCUMENTS AND THINGS FOR DISCOVERY**

As a prerequisite to service of subpoenas for documents and things, the undersigned certifies that:

1. Notice of Intent to Serve Subpoena with a copy of the subpoena attached thereto was emailed to Plaintiff prior to the date on which the subpoena is sought to be served.
2. Copy of the Notice of Intent, including the proposed subpoena is attached.
3. Counsel for Plaintiff has not objected to the proposed subpoena.
4. The subpoena which will be served are identical to the subpoena which is attached to the Notice of Intent to serve the Subpoena.

**FOWLER HIRTZEL MCNULTY &  
SPAULDING, LLC**

Date: February 26, 2024

By:   
Benjamin P. Novak, Esq. (ID #  
326182)  
1860 Charter Lane, Suite 201  
Lancaster, PA 17601  
Phone: (717) 696-0551  
Fax: (717) 229-1239  
[bnovak@fhmslaw.com](mailto:bnovak@fhmslaw.com)  
Attorney for Defendants

**UNITED STATES DISTRICT COURT FOR THE  
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**NO. 1:23-CV-1639**

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**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE DOCUMENTS  
AND THINGS FOR DISCOVERY**

To: Paul C. Siegrist, Esquire  
Stone, Wiley, & Linsench, P.C.

PLEASE TAKE NOTICE that Defendants intend to serve a subpoena identical to the one  
attached to this notice.

**FOWLER HIRTZEL MCNULTY &  
SPAULDING, LLC**

Date: February 20, 2024

By: 

Benjamin P. Novak, Esq. (ID #  
326182)  
1860 Charter Lane, Suite 201

Lancaster, PA 17601  
Phone: (717) 696-0551  
Fax: (717) 229-1239  
[bnovak@fhmslaw.com](mailto:bnovak@fhmslaw.com)  
Attorney for Defendants

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

## UNITED STATES DISTRICT COURT

for the

Middle District of Pennsylvania

JOSEPH A. NINEHOUSER

Plaintiff

v.  
JEREMY READ, et al

Defendant

Civil Action No. 1:23-CV-1639

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS  
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

TELEHEALTH PCS - 618 Cumberland Street, Lebanon, PA 17042

To:

(Name of person to whom this subpoena is directed)

☒ **Production:** YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material:

Any and all records pertaining to Joseph Ninehouser, d/o/b 6/17/89 from dates of service 1/1/2019 through the present

Place: Fowler Hirtzel McNulty & Spaulding LLC 1860 Charter Lane, Suite 201, Lancaster, PA 17601	Date and Time: 30 days from date of Service of Subpoena
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☐ **Inspection of Premises:** YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:	Date and Time:
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The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 02/20/2024

CLERK OF COURT

OR

/s/ Benjamin P. Novak

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party) Defendants

, who issues or requests this subpoena, are:

Benjamin P. Novak, Esq. 1860 Charter Lane, Suite 201, Lancaster, PA 17601 bnovak@fhmslaw.com (717) 696-0551

## Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

**CERTIFICATE OF SERVICE**

I, Mallori A. Beiler, employee of Fowler Hirtzel McNulty & Spaulding, LLC do hereby state that a true and correct copy of the foregoing document was sent via electronic mail upon the following individual(s) on the date set forth below:

Paul C. Siegrist, Esquire  
Stone, Wiley, & Linsenbach, P.C.  
3 N. Baltimore Street  
Dillsburg, PA 17019  
[paul@SWLLawyers.com](mailto:paul@SWLLawyers.com)  
*Counsel for Plaintiff*

**FOWLER HIRTZEL McNULTY  
& SPAULDING, LLC**

Date: February 20, 2024

By: *Mallori A. Beiler*  
Mallori A. Beiler, Paralegal  
1860 Charter Lane, Suite 201  
Lancaster, PA 17601-5865  
(717) 553-2600 ext. 306

**CERTIFICATE OF SERVICE**

I, Mallori A. Beiler, employee of Fowler Hirtzel McNulty & Spaulding, LLC do hereby state that a true and correct copy of the foregoing document was sent via electronic mail upon the following individual(s) on the date set forth below:

Paul C. Siegrist, Esquire  
Stone, Wiley, & Linsench, P.C.  
3 N. Baltimore Street  
Dillsburg, PA 17019  
[paul@SWLLawyers.com](mailto:paul@SWLLawyers.com)  
*Counsel for Plaintiff*

**FOWLER HIRTZEL McNULTY  
& SPAULDING, LLC**

Date: February 26, 2024

By: *Mallori A. Beiler*  
Mallori A. Beiler, Paralegal  
1860 Charter Lane, Suite 201  
Lancaster, PA 17601-5865  
(717) 553-2600 ext. 306